

1 15A NCAC 18A .2652 is proposed for amendment as follows:

2
3 **15A NCAC 18A .2652 MANAGEMENT AND PERSONNEL**

4 The provisions of this Rule make amendments, additions, and deletions to the Food Code incorporated by reference
5 in Rule .2650 of this Section. In Chapter 2, the following apply:

6 (1) In Paragraph 2-101.11(B), amend to read: "In a food establishment with two or more separately
7 permitted departments that are the legal responsibility of the same permit holder and that are located
8 on the same premises, the permit holder may designate a single person in charge who is present on
9 the premises during all hours of operation, and who is responsible for each separately permitted food
10 establishment on the premises."

11 (2) In Section ~~Paragraph 2-102.11, 2-102.11(A)~~, amend the last sentence in the first paragraph to: to
12 read: "The person in charge shall demonstrate this knowledge by being a certified food protection
13 manager who has shown proficiency of required information through passing a test that is part of an
14 accredited program. The person in charge is not required to be a certified food protection manager
15 when the food establishment is not operating and food is not being prepared, packaged, or served
16 for immediate consumption." "Complying with this code by having no violations of priority items
17 during the current inspection; or"

18 (3) ~~In Section 2-102.11, delete (A), (B), and (C).~~

19 (4) ~~In Subpart 2-102, add Section 2-102.12, Certified Food Protection Manager, to read:~~
20 ~~"2-102.12 Certified Food Protection Manager.~~

21 ~~(A) At least one employee who has supervisory and management responsibility and the authority to~~
22 ~~direct and control food preparation and service shall be a certified food protection manager who has~~
23 ~~shown proficiency of required information through passing a test that is part of an American~~
24 ~~National Standards Institute (ANSI) accredited program.~~

25 ~~(B) This section does not apply to congregate nutrition sites and Risk Category I food establishments~~
26 ~~as defined in 10A NCAC 46 .0213."~~

27 ~~(C) The requirements of this section are effective on January 1, 2014.~~

28 (5)(3) ~~In Section 2-102.20, replace "Paragraph 2-102.11(B)" with "Section 2-102.11." In Paragraph 2-~~
29 ~~102.12(B), amend to read: "This section does not apply to congregate nutrition sites and Risk~~
30 ~~Category I food establishments as defined in 10A NCAC 46 .0213."~~

31
32 *History Note: Authority G.S. 130A-248; S.L. 2011-394, Section 15(a); 2019-129;*

33 *Eff. September 1, 2012;*

34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 20,*
35 *2019.*